

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN, STATE OF, et al.,

Plaintiffs,

Case No. 22-mc-51503

vs.

HON. MARK A. GOLDSMITH

JOHN HOWARD BIGHAM III,

Defendant.

_____ /

ORDER DISMISSING COMPLAINT WITH PREJUDICE (Dkt. 1)

Plaintiff John Howard Bigham III commenced this action by filing a document that the Court treats as a complaint, entitled “DECLARATION OF REPATRIATION” (Dkt. 1). The Court dismisses Bigham’s complaint with prejudice.

Federal Rule of Civil Procedure 8 requires that a claim for relief contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a), (a)(2). “Each allegation must be simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). “What Rule 8 proscribes is obfuscation of the plaintiff’s claims.” Kensu v. Corizon, Inc., 5 F.4th 646, 651 (6th Cir. 2021) (emphasis in original) (affirming dismissal with prejudice). “The key is whether the complaint is so verbose, confused and redundant that its true substance, if any, is well disguised.” Id. (punctuation modified, citations omitted).

Whatever claims Bigham seeks to make in his “declaration,” they are beyond the Court’s ability to ascertain. He names himself as Defendant, and he names the State of Michigan, Township of Ypsilanti, and “Officer Schrieber ID#1449” as Plaintiffs, though his filing provides no information about how Michigan, Ypsilanti, and Schrieber are related to his suit. He makes

reference to case law concerning his right to “[f]reedom of movement” and “[t]he right of the Citizen to travel upon the public highways . . .,” Compl. at 6–7, but he does not connect these statements to factual allegations or any claims for relief. Buried in Bigham’s declaration is a request that the Court “dismiss an action that was proceeded against his private person that took place on or about September 12, 2022,” *id.* at 5, but he does not give the Court sufficient information to even identify this action. Bigham also fails to make any allegations regarding jurisdiction. Any substance to Bigham’s suit is fully “obfuscat[ed]” and “disguised.” *Kensu*, 5 F.4th at 651.

Accordingly, Bigham’s action is dismissed with prejudice (Dkt. 1).

SO ORDERED.

Dated: October 11, 2022
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge